
REPRESENTING CHILDREN IN CONTESTED CUSTODY CASES IN MARYLAND: THE GUIDELINES OF PRACTICE FOR COURT-APPOINTED LAWYERS REPRESENTING CHILDREN IN CASES INVOLVING CHILD CUSTODY OR CHILD ACCESS

Tuesday, November 20, 2007, 8:30 a.m. – 4:30 p.m.

Holiday Inn College Park
College Park, MD

Tuesday, November 27, 2007, 8:30 a.m. – 4:30 p.m.

The University of Baltimore School of Law – Business Center Auditorium
Baltimore, MD

Friday, December 7, 2007, 8:30 a.m. – 4:30 p.m.

Holiday Inn Express
Prince Frederick, MD

Tuesday, December 11, 2007, 8:30 a.m. – 4:30 p.m.

Allegany College
Cumberland, MD

Tuesday, January 8, 2008, 8:30 a.m. – 4:30 p.m.

Judicial Education Conference Center
Annapolis, MD

Tuesday, January 29, 2008, 8:30 a.m. – 4:30 p.m.

Comfort Inn
Easton, MD

This 6.5-hour training program meets the requirements of Rule 9-205.1 of the *Maryland Rules* for attorneys who wish to qualify for appointments in child custody and child access cases, in accordance with Guideline 4 of the *Maryland Guidelines for Practice for Court-Appointed Lawyers Representing Children in Cases Involving Child Custody or Child Access*.

REPRESENTING CHILDREN IN CONTESTED CUSTODY CASES IN MARYLAND: THE GUIDELINES OF PRACTICE FOR COURT-APPOINTED LAWYERS REPRESENTING CHILDREN IN CASES INVOLVING CHILD CUSTODY OR CHILD ACCESS

Family Law Section 1-202 of the Annotated Code of Maryland (2006 Replacement Volume) provides that, in an action in which custody, visitation rights, or the amount of support of a minor child is contested, the court may appoint a lawyer who shall serve as a child advocate attorney to represent the minor child and who may not represent any party to the action; or the court may appoint a lawyer who shall serve as a best interest attorney to represent the minor child and who may not represent any party to the action; and the court may impose against either or both parents counsel fees. A lawyer appointed under Family Law Section 1-202 shall exercise ordinary care and diligence in the representation of a minor child.

Rule 9-205.1 of the Maryland Rules, Volume 2 (June 2007 Supplement to the June 2007 Edition) – which became effective on July 1, 2007 - applies to the appointment of a child's counsel in actions involving child custody or child access. The rule lists the factors that the court should consider in determining whether to appoint child's counsel and the provisions that should be contained in an order appointing child's counsel.

The Committee Note to Rule 9-205.1 states that "A court should provide for adequate and effective child's counsel in all cases in which an appointment is warranted, regardless of the economic status of the parties. The court should make the appointment as soon as practicable after it determines that the appointment is warranted. A court should appoint only lawyers who have agreed to serve in child custody and child access cases in the assigned role and have been trained in accordance with Guideline 4 of the Maryland Guidelines for Practice for Court-Appointed Lawyers Representing Children in Cases Involving Child Custody or Child Access. In making appointments, the court should fairly and equitably distribute cases among all qualified attorneys, taking into account the attorney's availability and caseload. Before asking an attorney to provide representation pro bono publico to a child, the court should consider the number of other similar cases the attorney has recently accepted on a pro bono basis from the court."

- **The training is free, sponsored by the Administrative Office of the Courts, Department of Family Administration.**
- **Breakfast and lunch will be provided.**

PLANNING COMMITTEE

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MICPEL

Jennifer K. Cassel, Esq.

Family Law Administrator

Circuit Court for Anne Arundel County

Annapolis

Bridget M. Gazelle

Coordinator, Family Division

Circuit Court for Prince George's County

Upper Marlboro

Connie Kratovil-Lavelle, Esq.

Deputy Director, Family Administration

Maryland Administrative Office of the Courts

Annapolis

Dorothy J. Lennig, Esq.

Director, Domestic Violence Legal Clinic

House of Ruth of Maryland

Baltimore

Anne D. Lopiano, Esq.

Olney

Ellyn Loy

House of Ruth of Maryland

Baltimore

Christopher W. Nicholson, Esq.

Kaufman, Ries & Elgin, PA

Towson

Pamela Cardullo Ortiz, Esq.

Executive Director, Family Administration

Maryland Administrative Office of the Courts

Annapolis

Mary R. Sanders, Esq.

Turnbull & Sanders, P.A.

Towson

Keith N. Schiszik, Esq.

Day & Schiszik,

Frederick

Rebecca Snyder, Ph.D.

John Spiegel, Esq.

Rockville

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Circuit Court for Montgomery County

Rockville

Donna E. Van Scoy, Esq.

Rockville

Barbara R. Trader, Esq.

Salisbury

Hon. Julia B. Weatherly

Circuit Court for Prince George's County

Upper Marlboro

AGENDA

8:30 a.m. – 8:45 a.m.

Welcome & Introductions

8:45 a.m. – 9:15 a.m.

The Role of the Child's Attorney Under the Guidelines - Roles & Responsibilities; Best Interest Attorney Litigates Rather Than Reports; Definition of Considered Judgment; Liability; Orders of Appointment

9:15 a.m. – 10:30 a.m.

Child Development and Communication - Development, Needs & Abilities; Cognitive Ability, Mental & Emotional Development; Context for Healthy Development; What Happens When Needs Are Not Met?; Implications for Parenting Plans; Communications with the Child Client in Developmentally Appropriate Manner; Interview Techniques

10:30 a.m. – 10:45 a.m.

Break

10:45 a.m. – 11:00 a.m.

Questions & Answers on Child Development Issues

11:00 a.m. – 11:45 a.m.

Impact of Family Dysfunction, Child Abuse, Neglect, Substance Abuse, and Domestic Violence on Children & Implications for Pediatric Legal Practice – Evaluating What is in a Child's Best Interest; Recognizing Abuse That is Not Physical; Coercive/Control Issues; Impact of Witnessing Family Violence

11:45 a.m. – 12:00 p.m.

Questions & Answers on Special Issues

12:00 p.m. – 12:45 p.m.

Lunch

12:45 p.m. – 1:45 p.m.

Calling in the Experts: Using Other Professionals to Enhance Your Understanding of Your Client's Needs & Your Client's Case – Forensic Custody & Mental Health Evaluators; Substance Abuse Evaluations; Understanding & Addressing Educational Needs; Identifying & Addressing Special Needs; Use of Other Experts; Identifying Best Practices

1:45 p.m. – 2:15 p.m.

Tapping Local Resources – Available Court and Community-Based Resources

2:15 p.m. – 2:30 p.m.

Break

2:30 p.m. – 3:45 p.m.

Representing Your Client Effectively – Representational Issues; Evidentiary Concerns; Ethical Issues; Preparing and Presenting a Child's Viewpoint; Child Testimony and Alternatives to Direct Testimony; Your Role with Self-Represented Litigants; Dealing with High Conflict Families

3:45 p.m. – 4:00 p.m.

Questions & Answers for Practitioners

4:00 p.m. – 4:15 p.m.

A View From the Bench

4:15 p.m. – 4:30 p.m.

Questions & Answers for the Judges

4:30 p.m.

Adjourn

REGISTRATION FORM

Name

Address

Address

City

State

Zip Code

Telephone

Fax Number

E-mail Address

Please check the training session you plan to attend:

- | | | | |
|--------------------------|----------|------------------------|---|
| <input type="checkbox"/> | 11/20/07 | Washington Area | Holiday Inn, College Park |
| <input type="checkbox"/> | 11/27/07 | Baltimore Area | University of Baltimore Business Center |
| <input type="checkbox"/> | 12/7/07 | Southern Maryland Area | Holiday Inn Express, Prince Frederick |
| <input type="checkbox"/> | 12/11/07 | Western Maryland Area | Allegany College, Cumberland |
| <input type="checkbox"/> | 1/08/08 | Central Maryland Area | Judiciary Education and Conference Center |
| <input type="checkbox"/> | 1/29/08 | Eastern Shore Area | Comfort Inn, Easton |

Please return this form no later than one week prior to the event, to:

Chris Richards, Administrative Assistant
Department of Family Administration
Administrative Office of the Courts
580 Taylor Avenue, 2nd Floor
Annapolis, Maryland 21401
Phone (410) 260-1262
Fax (410) 974-5577

Directions to each of the scheduled Child Counsel Trainings from November 2007 to January 2008

1. Holiday Inn College Park
10000 Baltimore Avenue
College Park, MD
301-345-6700

From the Capital Beltway/495
Exit 25 for US-1 toward Laurel/Baltimore Ave./College Park
Travel South—Holiday Inn is at 10000 Baltimore Avenue

2. University of Baltimore
11 West Mount Royal
Thummel Building
Baltimore, MD
410-837-4200

To University of Baltimore from Route 95
Route 95 to Baltimore - Follow the signs for Exit 53 Route 395 Downtown Inner Harbor District Take the Downtown Inner Harbor exit You will see the Convention Center on your right Make a right on Pratt Street - Get into the left lane Go two blocks on Pratt Street and turn left onto Charles St. Go North for 15 blocks on Charles St. Turn left on Preston Street, then left on Maryland Avenue. Go one block to the University of Baltimore Biddle St Garage — entrance is on the right hand side of Maryland Ave. Free parking is available on 4th floor and above (permit is not required.)

Walking directions from the garage:

*To the University of Baltimore Business Center, walk north for two blocks on Maryland Avenue. Turn right onto Mount Royal Avenue. Proceed one block up to the Business Center — it is located on the right corner of Mount Royal Avenue and Charles Street.

3. Holiday Inn Express
355 Merrimac Court
Prince Frederick, MD
410-535-6800

Take MD-2/Solomons Island Road
At the traffic circle, take the 3rd exit and stay on MD-2/
Solomons Island Road
Slight left at Duke Street
Turn right at Merrimac Court

4. Allegany College of Maryland
12401 Willow Brook Road
Uninc Allegany County
Cumberland, MD
301-784-5338

Take I-70 west to Hancock, take left-hand exit to I-68 to Cumberland, proceed west approximately 35 miles to the Willowbrook Road exit (EXIT 44). Turn left onto Willowbrook Road and proceed one mile to campus, on left.

5. Judiciary Education and Conference Center
2011D Commerce Park Drive
Annapolis, MD
401-260-3609

From the North:

Take Rt. 97 south to Rt. 50/301 east to Exit 24, Rowe Blvd. staying to the left. **Turn left at the light on to Bestgate Rd.** Follow through three traffic lights (the Annapolis Mall will be on the left). See blue and white sign “Annapolis Commerce Park East” or the big “888” sign and **turn right on Commerce Park Drive and pass the parking garage.** Turn right into the first driveway (2011D) or the second drive and right again into the parking area (2009D).

From the South:

Take Rt. 2/Solomons Island Rd. north. **Turn left at the light on West Street/Rt. 450.** Go to the 6th traffic light (as you follow around the Annapolis Mall on your right) and **turn right on Bestgate Rd. Commerce Park Drive will be on the left at the third traffic light.** Look for the blue and white sign “Annapolis Commerce Park East” or the big “888” sign and **turn left onto Commerce Park Drive.** Turn right into the first driveway (2011D) or the second drive and right again in the parking area (2009D). In either case, both floors can be accessed from the upper or lower parking areas.

6. Comfort Inn
8523 Ocean Gateway/Route 50
Easton, MD
410-820-8333

Take US-50 to Easton
Comfort Inn is on Route 50, North of downtown Easton